

## **FY 1999: EPA Enforcement and Compliance Assurance Program Highlights**

### **Major Civil and Criminal Enforcement Cases for FY 1999**

#### Diesel Engine Manufacturers

In the largest settlement in Clean Air Act enforcement history, seven manufacturers of heavy duty diesel engines will spend more than one billion dollars to settle charges that they illegally poured millions of tons of pollution into the air. The settlement is expected to prevent 75 million tons of nitrogen oxide (NOx) air pollution over the next 27 years; 75 million is more than the total U.S. NOx emissions for three years. In addition, due to the settlement, the total NOx emissions from diesel engines will be reduced by one-third as of the year 2003. This is equivalent to the NOx emissions from an additional 65 million cars being on the road. If the companies' use of defeat devices had not been detected and eliminated, more than 20 million tons of excess NOx would have been emitted by the year 2005. The Government alleged that the companies, Caterpillar Inc., Cummins Engine Company, Detroit Diesel Corporation, Mack Trucks, Inc., Navistar International Transportation Corporation, Renault Vehicules Industriels, s.a. and Volvo Truck Corporation, sold an estimated 1.3 million engines equipped with "defeat devices" -- software that alters an engine's pollution control equipment under highway driving conditions that allow engines to meet EPA emission standards during testing but disable the emission control system during normal highway driving. As part of the settlement, the companies will pay an \$83.4 million civil penalty, the largest in environmental enforcement history, spend collectively more than \$850 million to introduce cleaner new engines, rebuild older engines to cleaner levels, recall pickup trucks that have defeat devices installed and conduct new emissions testing. In addition, the companies will undertake a number of projects costing \$109.5 million to lower NOx emissions, including research and development projects to design low-emitting engines that use new technologies and cleaner fuels.

#### FMC Corporation, Inc. (Idaho)

The FMC Corporation, Inc. will spend a total of approximately \$170 million -- including the largest civil penalty ever obtained under the Resource Conservation and Recovery Act (RCRA) of \$11,864,800 -- to settle charges that it repeatedly violated the hazardous waste law at its phosphorus production facility in Pocatello, Idaho. FMC also has committed to over a dozen Supplemental Environmental Projects ("SEPs") with a capital cost of \$63 million, which will significantly improve air quality in the Pocatello region by reducing approximately 436 tons of particulate matter per year in emissions of dust and soot at the facility. As a final SEP, FMC will conduct a \$1.65 million public health assessment and education program to investigate the effects of contaminants generated by FMC on human health and the environment, particularly within nearby tribal lands. The charges against FMC involved mismanagement of ignitable and reactive phosphorus wastes in ponds, which threatened human health and the environment. The sediments in these ponds burn vigorously and persistently when exposed to the air, and a number of fires have been documented at these ponds in the past. The wastes in these ponds also generate

phosphine and hydrogen cyanide, highly toxic gases that can cause serious health and environmental problems. FMC at times has reported elevated levels of phosphine around the ponds, and it is believed that migratory bird deaths in the area also may be attributable to phosphine poisoning. FMC will close surface ponds previously used to store and manage hazardous ignitable and reactive phosphorus wastes. In addition, FMC will construct a \$40 million waste treatment plant to deactivate the phosphorus bearing wastes in order to avoid the inherent threats posed by the handling of such hazardous materials.. Costs associated with all the injunctive relief required under the settlement are expected to exceed \$90 million.

#### New York City

A consent decree was entered in the United States District Court for the Eastern District on New York, requiring filtration at New York City's Croton Water Supply to reduce the risk of cryptosporidium and other contaminants for its nearly one million residents, including the elderly and young. The Croton watershed, located just north of New York City, supplies 10 percent of the city's drinking water, and in drought conditions supplies up to 30 percent. The federal Safe Drinking Water Act requires that all surface water systems, such as Croton, filter water by June 1993, unless stringent public health criteria are met to make filtration unnecessary. Filtering drinking water substantially reduces the risk of waterborne disease in surface water systems, which are more susceptible to potential contamination from human and animal wastes, and from microbial contaminants. In this decree, the City agreed to filter the Croton Water Supply, completing the filtration plant by March 1, 2007. The injunctive relief will require the City to spend over \$600 million in capital costs and \$20-25 million per year in operating expenses. The decree also provides for \$5 million in supplemental environmental projects (SEPs) and \$1 million in cash penalties. New York City will monitor the quality and safety of its Croton Drinking Water System until the filtration system is in full operation. The watershed protection measures the City will implement include, purchasing land and replacing faulty septic tanks with sewers, and preventing storm water runoff from contaminating the watershed.

#### ASARCO, INC (Texas, Tennessee, Montana)

ASARCO, Inc. will spend an estimated \$15 million on several environmental actions under a landmark consent decree lodged in April 1999. The agreement also requires the mining and smelting company to pay a \$5.5 million penalty to settle claims that it violated federal hazardous waste and clean water laws in Texas, Tennessee and Montana. This nationwide, two-part settlement represents the first time the federal government entered into a consolidated agreement resolving violations of different environmental laws at more than one of a company's facilities. Under Phase I of the settlement reached in 1998, ASARCO agreed to spend more than \$50 million to clean up contamination and correct alleged violations at facilities in Montana and Arizona. Phase II of the settlement agreement obligates ASARCO to revamp Encycle/Texas, Inc., a wholly-owned recycling facility in Corpus Christi, TX, which EPA and the Texas Natural Resources Conservation Commission allege violated the Resource Conservation and Recovery Act by failing to properly manage hazardous waste and otherwise engaging in unlawful recycling

practices. ASARCO's East Helena, MT, lead smelter and El Paso, TX, copper smelter allegedly accepted shipments of unmanifested hazardous waste from Encycle/Texas in violation of RCRA

#### ARCO (Montana)

The Atlantic Richfield Company (ARCO) will spend \$260 million -- including a \$1.8 million penalty -- to settle allegations of liability for cleanup costs and natural resource damages caused by mine waste contamination in the Clark Fork River Basin. The settlement was contained in two settlements reached in conjunction with the State of Montana and the Confederated Salish and Kootenai Tribes of the Flathead Nation. In the first settlement, Montana receives \$215 million from ARCO, including \$80 million for the cleanup of the Silver Bow Creek under the supervision of the State and EPA, with contingencies for additional funding if necessary. In the second settlement, the company will pay \$20 million in natural resource damages to the U.S. Department of Interior's Fish and Wildlife Service and the Confederated Salish and Kootenai Tribes. This money will be used to restore wetlands, bull trout habitat, and other natural resources. ARCO also will pay \$3.9 million in past cleanup costs to the United States, and a \$1.8 million penalty for violating a unilateral administrative order in 1997. ARCO has committed to perform additional restoration to create, restore, or enhance 400 acres of wetlands, primarily in the Anaconda area, which is estimated to cost \$3.4 million. ARCO has also committed to reserve \$15 million to reimburse the United States for a portion of past costs at other operable units of the Clark Fork River Basin.

#### United States v. Christian A. Hansen (LCP Chemicals) (Georgia)

A former corporate officer and a former manager of LCP Chemicals (LCP) of Brunswick, Georgia, a bankrupt subsidiary of the Hanlin Group, Inc., of Delaware, were sentenced on June 3, 1999, in U.S. District Court for the Southern District of Georgia. Christian A. Hansen of Highlands, N.J., former Chairman of the Board of Hanlin, was sentenced to serve nine years in prison and pay a \$20,000 fine. Alfred R. Taylor of Brunswick, Georgia, former Plant Manager at LCP Chemicals, was sentenced to six and one-half years in prison. Both defendants were convicted on one count of conspiring to operate the plant in violation of environmental laws, and one count of knowingly endangering employees under the Resource Conservation and Recovery Act (RCRA). In addition, each defendant was individually convicted on a variety of other environmental offenses, including crimes under the Clean Water Act (CWA).

LCP manufactured chlor-alkalai bleach, caustic soda, hydrogen gas and hydrochloric acid. During the manufacturing process, workers at the Brunswick plant were provided with inadequate safety equipment and were repeatedly placed in imminent danger of death or serious bodily harm by exposure to possible chemical burns or poisoning from inhalation of mercury vapors and other contacts with mercury-contaminated and corrosive wastes.

The investigation also revealed extensive contamination at the facility and in an adjacent water waterway, Purvis Creek. Most of the contamination consisted of mercury, PCBs, and chlorine, creating one of the largest Superfund sites in the country. In addition, significant harm

was done to the local population of wood storks, which are an endangered species. Approximately 240,000 pounds of mercury used at the plant have not been recovered, and a toxic jell of mercury and caustic chemicals has been identified in the ground approximately 40 feet beneath the property. Contact with sufficient quantities of mercury can lead to neurological disorders and chlorine is a highly caustic material which can cause chemical burns in people and harm to aquatic life. Pollution caused by the plant required adjacent waterways to be closed to commercial fishing and crabbing due to high levels of mercury in the tissues of local fish and crabs.

At the time of sentencing, clean up at the LCP site had cost approximately \$55 million and additional clean up of sediments, if feasible, could cost an additional \$100 million.

United States v. Gary Benkovitz (Florida).

Gary Benkovitz, President of Bay Drum and Steel Inc., was sentenced to 13 years in prison for crimes involving water pollution and illegal hazardous waste disposal. This is the longest sentence ever handed down in the United States for a federal conviction for environmental crimes. The sentence was imposed on August 16, 1999, in the United States District Court for the Middle District of Florida, for his conviction in two separate, but related, cases. The first conviction was on charges of conspiracy to violate the Clean Water Act and the Resource Conservation and Recovery Act (which regulates hazardous waste). The second case involved violations, under the same statutes, which took place while Benkovitz was awaiting sentencing for the first case. Benkovitz was also sentenced to three years probation and Bay Drum, which is now defunct, was sentenced to five years probation. Benkovitz and Bay Drum were in the business of acquiring, cleaning, reconditioning and reselling 15 and 55-gallon drums. Between 1990 and 1999, the defendants dumped an estimated 4 million gallons of contaminated wastewater into Tampa sewers and also sent at least 170,000 pounds of hazardous sludge to Tampa's city incinerator which was not designed to dispose of hazardous materials. The contaminants in the wastewater and sludge included lead and the pesticides chlordane and heptachlor, all of which can cause significant harm to humans, fish and wildlife. It is estimated that it will cost at least \$130,000 to clean the three sites where Bay Drum conducted business. Benkovitz was ordered to pay at least \$14,000 in restitution; however, the court reserved final judgement on restitution pending an analysis of the defendant's ability to pay.

United States v. Burlington Northern and Santa Fe Railroad Company (Missouri).

Burlington Northern and Santa Fe Railroad Company (BNSF) entered into a plea agreement with the United States to resolve criminal violations involving the unpermitted discharge of pollutants into waters of the United States and the release of hazardous substances into the environment. The agreement was filed on December 4, 1998, in the United States District Court for Eastern District of Missouri. The agreement calls for the company to pay a \$7 million fine, pay restitution of \$3 million to the State of Missouri, and spend another \$9 million in remedial costs for violating the Clean Water Act and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, also known as Superfund). Since 1968, BNSF

has operated a railroad car cleaning operation at a railroad siding near the community of Cherryville, Missouri. Cars containing residue of lead concentrate from nearby lead mines would be cleaned at the site, which resulted in lead sulfide being discharged into a creek and a significant accumulation of lead sulfide at the site. EPA estimates that the site contained approximately 40,000 tons of lead contaminated material. BNSF violated the Clean Water Act by engaging in the unpermitted discharge of lead sulfide into Cherry Valley Creek from the railroad siding during a two year period from April 1992 to April 1994. In addition, BNSF employees violated CERCLA by failing to notify emergency response authorities that it had released a hazardous substance into the environment. Lead is a highly toxic chemical element which is a known cause of significant neurological and bone diseases.

United States v. Royal Caribbean Cruises, Ltd. (Florida, California, New York, Alaska, Virgin Islands, and Puerto Rico)

A plea agreement between Royal Caribbean Cruises, Ltd., one of the world's largest cruise lines, and the U.S. Department of Justice was announced on July 21, 1999. Royal Caribbean subsequently pleaded guilty to 21 violations of federal law and agreed to pay a total of \$18 million in fines for dumping waste oil and hazardous chemicals into the ocean in violation of the Clean Water Act and Oil Pollution Act and for making false statements to the Coast Guard. The pleas were filed in U.S. District Courts in Miami, where Royal Caribbean has its headquarters, and in New York City, Los Angeles, Anchorage, St. Thomas, and San Juan. In addition to the dumping and false statement charges, the agreement also required Royal Caribbean to admit to illegally storing hazardous wastes at a Port of Miami pier in violation of the Resource Conservation and Recovery Act. These 21 charges follow a guilty plea by Royal Caribbean in June 1998 for similar crimes in Miami and San Juan. Those charges resulted in a \$9 million fine. In addition, to the total fines of \$27 million in the two cases, the plea agreement calls for Royal Caribbean to operate for five years under an environmental compliance plan.

EPA along with the Coast Guard, the FBI and the Department of Transportation Inspector General's Office initiated a criminal investigation of Royal Caribbean Cruise Lines, Ltd., (Royal Caribbean) after receiving information that the company was engaged in illegal activities by discharging oily bilge water and gray water contaminated with hazardous waste from its cruise vessels into various coastal waters, including southeast Alaska intercoastal shipping routes. Further investigation established that Royal Caribbean had, on numerous occasions in 1994 and 1995, discharged harmful quantities of oil into U.S. waters off the coast of Alaska in violation of the Oil Pollution Act of 1990. The investigation additionally established that, on at least one occasion, the M/V Sun Viking discharged wastewater contaminated with hazardous wastes from shipboard dry-cleaning operations and photographic chemicals into waters of the United States near Juneau, Alaska, in violation of the Clean Water Act. The investigation also found that Royal Caribbean made materially false statements in Oil Record Books, which were presented to the U.S. Coast Guard, in an attempt to conceal their illegal acts.

### United States v. James Lee Miller (Missouri)

James Lee Miller, of Bogalusa, LA, was sentenced on December 16, 1998, to serve 27 months in prison by the U.S. District Court in St. Louis for violating the Clean Water Act. Miller was convicted of illegally discharging between 700 and 1,000 gallons of styrene monomer into a drainage ditch at the Bloomsdale rest stop on I-55 approximately 60 miles south of St. Louis on March 16, 1998. The chemical was illegally released from the tanker trailer of a semi-trailer truck driven by the defendant and flowed from the drainage ditch into Forche A Du Clos Creek and Establishment Creek, both of which eventually empty into the Mississippi River. As a result of Miller's illegal styrene discharge, more than 100 people had to be evacuated from their homes near Bloomsdale, MO. In addition, the discharge caused the temporary closure of the Bloomsdale Elementary School, and killed approximately 10,000 fish in both creeks. Depending upon the degree of exposure, people who breathe styrene monomer vapors can develop symptoms that range from irritation of the eyes and lining of the respiratory system to significant respiratory and neurological illnesses. Human ingestion of styrene monomer can produce cancer, liver disease, and blood disorders. Exposure to water borne styrene monomer can be fatal to fish and other aquatic life.

### United States v. Colonial Pipeline Company (South Carolina).

Colonial Pipeline Company (CPC), of Atlanta, GA, pled guilty to violating the Clean Water Act on February 25, 1999, in the United States District Court for the District of South Carolina in Anderson, SC and was ordered to pay a \$7 million fine. The charges arose from a incident on June 26, 1996, when a CPC pipeline ruptured at a point where it crosses the Reedy River near Simpsonville, South Carolina. In its plea, CPC acknowledged that it had negligently operated its pipeline, and that its failure to exercise reasonable care resulted in the release of approximately 960,000 gallons of diesel fuel which polluted a 23 mile segment of the Reedy River. The spill killed wildlife, including 35,000 fish, and was the sixth largest oil pipeline spill in the history of the United States. In addition to the fine, the court imposed a five year term of probation on CPC, during which the company will have to develop and implement an environmental compliance program to prevent and detect any further violations of the Clean Water Act on a 5,318 mile pipeline that it operates from Houston, Texas to Linden, New Jersey. The court also required the company to make presentations to national pipeline associations regarding the obligations of pipeline operators under the Clean Water Act.

## **Other Significant FY Enforcement Cases**

### **A. Civil Enforcement**

#### **CERCLA (Superfund)**

##### Avtex Fibers (Virginia)

FMC Corporation will clean up the Avtex Fibers Superfund site in Front Royal, Va., a project

estimated at \$63 million under the consent decree. FMC will remediate the 440-acre site consistent with redevelopment plans by the Town of Front Royal and Warren County. EPA will turn over to FMC the responsibility for the cleanup of the Avtex site. The Avtex facility manufactured synthetic fibers for 49 years, and FMC operated the plant from 1963 until 1976. The facility, built during World War II, supplied material to the U.S. Armed Forces and was the largest rayon manufacturer in the United States. The last owner, Avtex Fibers-Front Royal, closed the facility in 1989 after being cited for more than 2,000 violations of Virginia environmental laws, associated primarily with wastewater discharges into the Shenandoah River. In 1986, EPA listed the site on the Superfund National Priorities List of the country's most severely polluted sites, and the agency has been conducting cleanup work since then. FMC also will reimburse the EPA \$9.1 million for its past costs associated with the property, which is located in the foothills of the Blue Ridge

## **Clean Air**

### BP Oil (Ohio)

BP Oil will monitor, report and correct process operations that result in the flaring, or combustion, of gases containing high levels of air pollutants under a first-of-its-kind settlement filed in federal district court in Toledo, Ohio. Under the agreement, the company will be the first in the United States under a court order to monitor the occurrence of flaring, report to EPA each time an incident occurs, and take corrective actions to reduce the likelihood of such incidents. The settlement also requires the company to pay \$1.75 million for its alleged illegal discharges of pollutants and reporting violations. The agreement resolves claims that BP violated the Clean Air Act (CAA) by emitting excess quantities of sulfur dioxide by unlawfully flaring gases containing high concentrations of hydrogen sulfide. The agreement also resolves claims that BP violated the Emergency Planning and Community Right to Know Act and the Comprehensive Environmental Response, Compensation, and Liability Act by failing to immediately notify emergency response authorities when air pollutants were emitted. BP must also pay a civil penalty of \$1.4 million and spend \$350,000 on two supplemental environmental projects.

### Crozier Chester Medical Center and Statoil Energy Power Inc. (Pennsylvania)

Crozier Chester Medical Center and Statoil Energy Power Inc. settled an EPA lawsuit in February over air pollution violations at Crozier's medical waste incinerator in Upland, PA. The settlement resolves the joint federal-state lawsuit alleging that Crozier Chester and incinerator operator Statoil (formerly known as Eastern Power Corp.) violated the federal Clean Air Act and Pennsylvania Air Pollution Control Act. Under the consent decree, Statoil will pay a \$250,000 penalty and Crozier Chester will conduct a \$250,000 asthma detection and treatment program in the Chester-Upland public schools. Air pollutants can trigger asthma attacks. Crozier Chester has also agreed to fund and conduct an asthma screening and management program for all first, sixth and eleventh grade students in the Chester-Upland public schools. Students diagnosed as suffering from asthma, or who are at risk for the respiratory illness, will be referred to programs

providing medical care, medication and asthma management services. A registered nurse and an asthma care manager will be hired for the two-year program.

## **Clean Water**

### City of Atlanta

EPA and the State of Georgia reached a settlement in July 1999 with the City of Atlanta to resolve water pollution violations throughout the city's sanitary sewer system. The agreement, which is the second of a two-part settlement, requires the city to pay a civil penalty of \$700,000 – \$450,000 of which goes to the state of Georgia – and take corrective action to bring its sewer system into compliance with the Clean Water Act and the Georgia Water Quality Control Act. The agreement lays out steps that Atlanta must follow to stop discharges of untreated or partially treated sewage into waterways and onto land. Bacteria and nutrients from fecal contamination, typically found in very high concentrations in sewer overflows, impair waterways and can cause serious health problems. The settlement prohibits the city from installing new sewer lines in neighborhoods where the system lacks capacity to handle new flows, unless the city either increases system capacity or reduces flows from other sources. The settlement also requires the city to install flow-monitoring devices throughout its sewer system in order to determine the amount of flow handled by the system. The first settlement, reached in September 1998, calls for the city to implement a \$27.5 million supplemental environmental project which creates a greenway corridor and a one-time stream cleanup along selected waterways.

## **Safe Drinking Water –Federal Facilities**

### Redstone Arsenal (Alabama)

In 1999, EPA settled its first-ever penalty case under the Safe Drinking Water Act (SDWA) against a Federal facility at the Army's Redstone Arsenal in Huntsville, Alabama, with the Army agreeing to pay a cash penalty of \$80,000 and spend \$807,000 on supplemental environmental projects (SEPs). The facility failed to meet numerous SDWA requirements, including violating the maximum contaminant level for total coliform (bacteria), which ensure the safety of the drinking water for the 22,000 people at Redstone Arsenal. The Redstone settlement represents the largest drinking water penalty in EPA Region IV history.

## **TSCA**

### Microban (North Carolina)

An EPA Administrative Law Judge found Microban Products Co., of Huntersville, N.C., liable for making unlawful public health claims in the sale and distribution of its antimicrobial pesticide Microban Plastic Additive "B" to Hasbro Inc., for use in toys. The Judge ruled that Microban violated FIFRA, which prohibits pesticidal claims that differ from those permitted



under a pesticide's registration approval. In August 1983, EPA approved Microban's registration of the Microban Plastic Additive "B" upon the company's claim that the pesticide is a preservative agent for use in the manufacture of polymer plastic and latex products, which is a non-public health use. However, the company unlawfully claimed that its product was effective against bacteria such as E.coli, staph. and salmonella., which is a public health use. The ruling ensures that unsubstantiated claims by companies, such as those made by Microban, do not put the public health at risk.

## **Multi-Media**

### Ashland Oil (Kentucky, Minnesota, Ohio)

Ashland Inc. agreed to a \$32.5 million settlement to resolve charges of multiple environmental law violations at its petroleum refineries in Kentucky, Minnesota and Ohio. Under the settlement, Ashland will undertake corrective actions that include improvements to the wastewater drainage system at its Ohio facility to prevent the release of volatile organics into the atmosphere; upgrades to the wastewater treatment system at the Kentucky plant to reduce the release of harmful chemicals into the Big Sandy River; and the installation of a series of wells to prevent the release of petroleum contaminants into the Mississippi River in Minnesota. Ashland will pay \$5.8 million in civil penalties and perform a number of supplemental environmental projects worth over \$14.8 million, such as donating and restoring 274 acres of ecologically significant dune prairie grassland to the state of Minnesota for permanent preservation as a scientific and natural area. Further, the company will assist the state of Kentucky with air monitoring as part of the Tri-State Initiative in the area of Kentucky, Ohio and West Virginia.

The agreement resolved charges that Ashland violated the Clean Air Act (CAA), the Clean Water Act (CWA), the Resource Conservation and Recovery Act (RCRA), the Emergency Planning and Community Right to Know Act (EPCRA), and the Toxic Substances Control Act (TSCA) at its refineries in Catlettsburg, Ky., St. Paul Park, Minn., and Canton, Ohio. The claims against Ashland included the release of excess sulfur dioxide and other pollutants at its Catlettsburg and Canton facilities in violation of the CAA, unreported accidental releases of toxic chemicals at the Catlettsburg facility in violation of EPCRA, unauthorized wastewater discharges at each of the three refineries in violation of the CWA, and improper management of hazardous waste in violation of RCRA.

## **Self-Disclosure Policy -Related Consent Decrees**

### American Airlines

EPA and AMR Corporation (American Airlines) entered into a settlement that is expected to eliminate nearly 700 tons of pollutants from the air annually. In a settlement under EPA's "Audit Policy," American Airlines reported the use of a high-sulfur fuel in motor vehicles at 10 major airports around the country, including JFK in New York and O'Hare in Chicago. The violations

occurred during October 1993 to July 1998. Section 211 of the Clean Air Act prohibits the knowing use in any motor vehicle of diesel fuel that contains a concentration of sulfur in excess of 0.05 percent (by weight). In addition, the diesel fuel regulations in 40 C.F.R. Part 80 prohibit dispensing, selling, supplying, offering for sale or supply, transporting, or introducing into commerce diesel fuel for use in motor vehicles unless the diesel fuel has a sulfur percentage, by weight, of no greater than 0.05 percent. Under the terms of the settlement with the Texas-based airline, EPA cut total penalties by more than 90 percent for violations that the airline voluntarily disclosed and promptly corrected. The company also agreed to additional pollution reduction measures at Boston's Logan airport.

### Telecommunications Industry

In January 1998, in follow-up to the largest settlement reached under EPA's Audit Policy with GTE Corporation, resolving 600 violations at 314 sites, EPA began contacting members of the telecommunications industry to heighten awareness of potential environmental requirements and the cost effective approach of using the audit policy. Response to our initial outreach efforts and subsequent self-disclosures indicated that GTE's compliance problems were indicative of an industry-wide problem. In FY 1999, the Agency reached final settlements with 10 companies that voluntarily disclosed and promptly corrected 1,300 environmental violations that occurred at more than 400 of their facilities. The settlements were reached under EPA's Audit Policy, which reduces or eliminates penalties for companies that voluntarily audit, promptly disclose and correct violations. The Agency waived over \$4.2 million in gravity based penalties and collected \$128,772 representing economic benefit gained from delayed compliance. Final settlements were reached with Cincinnati Bell Telephone Co., Cincinnati Bell Long Distance, Convergys Customer Management Group, Dallas MTA L.P., Houston MTA L.P., PrimeCo Personal Communications, San Antonio MTA L.P., Cellco Partnership and its affiliates doing business as Bell Atlantic Mobile or Cellular One, Southwestern Bell Telephone Company, and United States Cellular Corp.. Remedial actions for violations of the Emergency Planning and Community Right-to-Know Act (EPCRA) and/or the Clean Water Act's (CWA) Spill Prevention Control and Countermeasure (SPCC) requirements include properly notifying local emergency planning committees of the presence of hazardous chemicals and preparing spill prevention plans to reduce the risk of environmental accidents, as well as protect the safety of the personnel who respond if an accident occurs. Facilities that have hazardous chemicals and meet reporting thresholds must submit reports to the appropriate agencies by March 1 each year.

### Pork Producers Compliance Incentives Program

In FY 1999, in conjunction with the emphasis of President Clinton's Clean Water Action Plan to eliminate water pollution caused by contaminated runoff, the U.S. Environmental Protection Agency and the National Pork Producers Council (NPPC) developed a voluntary compliance program to reduce environmental and public health threats to the nation's waterways from runoff of animal wastes from pork-producing operations. Under this initiative, participating pork producers will have their operations voluntarily assessed for Clean Water Act violations by

certified independent inspectors. Producers who promptly disclose and correct any discovered violations from these audits will receive a much smaller civil penalty than they might otherwise be liable for under the law. The compliance audit program provides an incentive for pork producers to take the initiative to find and correct Clean Water Act violations and prevent discharges to waterways without compromising the ability of EPA or states to enforce the law.

## **B. Criminal Enforcement**

### **Clean Water**

#### United States v. Rockview Farms, Inc. (California)

Rockview Farms, Inc., a California corporation which owns and operates the Ponderosa Dairy in Amargosa, NV, was sentenced in U.S. District Court for the Eastern District of California in Fresno for violating the Clean Water Act and for making a false statement. Rockview was fined \$250,000, and was ordered to upgrade the dairy to prevent future discharges. The Court also ordered Rockview to reimburse the investigating agencies \$6,900 for response and investigation costs, and ordered the defendant to purchase \$10,000 worth of investigatory equipment for the North and South Central Valley Dairy Waste Enforcement Task Force. Rockview illegally discharged 1.7 million gallons of dairy waste water contaminated with urine and feces in February 1998 when a wastewater lagoon valve was left open for two days. The waste water flowed approximately eight miles across the desert and then into the Amargosa River in Inyo County, California. Exposure to fecal coliform and other pathogens in animal wastes can cause intestinal and other infections in humans and can also be harmful to aquatic life.

#### United States v. Northeast Utilities (Connecticut)

Northeast Utilities, the largest nuclear energy company in New England, pleaded guilty to six counts of willfully violating the Clean Water Act (CWA) and 19 counts of knowingly falsifying training records which were required under the Atomic Energy Act for utility employees to be licensed as nuclear power plant operators. The CWA violations included submitting inaccurate wastewater test samples by improperly taking samples from a discharge pipe when it was submerged during high tide; dumping hydrazine, a toxic chemical, into Long Island Sound without a state permit and without notifying the state; and, taking samples at the Devon facility that did not reflect the true toxicity of the wastewater because it was diluted with river water before testing. As a result of their conviction, Northeast Utilities and its subsidiary, Northeast Nuclear, agreed to pay \$7 million dollars in fines to the Federal government.

#### Puerto Rico Electric Power Authority, Palo Seco Facility (Puerto Rico)

In September 1995, Puerto Rico Electric Power Authority (PREPA) experienced a massive spill of 270,000 gallons of sulfuric acid water. PREPA, which uses the acid in its wastewater treatment processes, had been storing approximately 10,000 gallons of concentrated sulfuric acid

in an above ground tank when the tank valve failed. The spilled acid was temporarily contained by a concrete retention base around the tank. PREPA initially placed the spilled acid into tanker trucks, but with a hurricane watch in effect, PREPA then removed the acid to a wastewater storage tank. The tank had been out of service for repairs, but after inadequate repairs the tank was placed back into service to hold approximately 270,000 gallons of wastewater with a pH of 1.8. PREPA added the spilled acid to the tank and then added caustic soda to the tank in an attempt to neutralize the acid, but the strategy did not succeed. This second tank had not been designed to hold acid and began to develop pinhole leaks almost immediately. It ultimately failed catastrophically with the contents discharging into an adjacent mangrove swamp, causing extensive damage to the wetland.

PREPA was sentenced in June 1999 after pleading guilty to a one count information charging a negligent violation of the Clean Water Act Section 301 for the unpermitted discharge of the acid wastewater to a mangrove swamp in Bayamon, Puerto Rico. PREPA agreed to pay a \$140,000 fine, be placed on probation for two years, and implement a compliance program to prevent future violations. In addition, the court set as a condition of probation that PREPA comply with a civil consent decree it had entered into with EPA.

## **FIFRA**

### United States v. Robert E. Kelly, Jr. ( Tennessee)

Robert E. Kelly, Jr., owner of Kelly's Spraying Service in Memphis, Tennessee, was sentenced to serve twenty months in prison and to pay \$250,000 in restitution by the U.S. District Court for the Western District of Tennessee in Memphis. Kelly was convicted of charges that he purchased at least 280 gallons of the pesticide methyl parathion in Mississippi under the false pretense that it would be used for agricultural purposes. He was also convicted of illegally applying the pesticide in homes in the Memphis area. Methyl parathion, also known as "cotton poison," is a highly toxic substance that is only approved for outdoor use in uninhabited agricultural fields where sunlight rapidly reduces its toxicity. When applied indoors, methyl parathion can remain toxic for up to two years, and can cause headache, nausea, convulsions, coma, and death. Evidence introduced at the trial indicated that Kelly did not warn his customers of the dangerous nature of the pesticides he was applying, even when they asked about the dangers. Hundreds of Kelly's customers were exposed to high levels of methyl parathion, and some of them became ill after it was applied in their homes.

## **Oil Pollution Act**

### United States v. Doyon Drilling, Inc. (United States Court for the District of Alaska)

Doyon Drilling, Inc. (DDI), an Alaskan Corporation that provides drilling services throughout the North Slope, Ben Shafsky, DDI's Assistant Operations Manager, and Allan Sinclair, a former drilling rig supervisor, were sentenced by the U.S. District Court for the District of Alaska in

Anchorage. DDI was ordered to pay a fine of \$3 million and serve five years of probation for violating the Oil Pollution Act. DDI may offset two million dollars of the fine over a five-year period if they spend an equivalent amount on the implementation of an environmental compliance program. In April 1998, DDI pled guilty to 15 misdemeanor violations of the OPA which occurred between 1993 and 1995 when DDI employees injected paint thinner, paint, oil, and solvents down the outer rim of oil producing wells on Endicott Island. Shafsky and Sinclair, both pled guilty to misprision of a felony for concealing the illegal disposal of hazardous waste and failing to notify federal officials about the crime. Shafsky was ordered to pay a \$25,000 fine and serve five years probation. Sinclair, was sentenced to four months of confinement, a \$25,000 fine, and five-year probation.

## **TSCA**

### United States v. Gaines, et. al. (Wisconsin)

Three men were sentenced in Wisconsin for conspiring to use homeless men to improperly remove asbestos. Chance Gaines of Arab, AL, and James Bragg and Buddy V. Frazier of Chattanooga, TN, were sentenced to prison in U.S. District Court for the Western District of Wisconsin in Madison. Gaines was sentenced to 33 months, Frazier to 30 months, and Bragg to 24 months for conspiring to use untrained homeless men to illegally remove asbestos, in violation of the Clean Air Act. In addition, the defendants also conspired to use false Social Security account numbers to obtain ‘asbestos worker certifications’ from the Wisconsin Department of Health and Family Services for the untrained men. In 1996, under Frazier’s direction, Gaines transported workers recruited from Georgia and Tennessee to Mansfield, WI, where they stripped asbestos insulation without following federal regulations which are required to prevent exposure to airborne asbestos fibers. Bragg transported the workers from Tennessee to the work site. Inhalation of asbestos fibers can cause a lung disease known as “asbestosis,” and mesothelioma, which is a cancer of the chest and abdominal cavity.

## **Clean Air Act**

### United States v. Kali Patel (California)

In 1999, Kali Patel, George Shahin and Moussa Toubbeh were convicted for various crimes committed in the course of purchasing illegally imported CFCs (R-12). In early 1997, an investigation was initiated to obtain evidence of the suspected sale of illegal CFCs by Patel. During the course of the investigation it was learned that Patel was interested in purchasing rather than selling CFCs. Later, Patel stated he was unable to purchase a large amount (1200 30-lb cylinders) but introduced a person, later identified as George Shahin, who wanted to make a large purchase. Shahin ultimately agreed to purchase 1200 cylinders of illegally imported R-12. The investigation disclosed that Patel had invested in the illegal sale by helping Shahin finance the transaction. Additionally, Shahin had also accepted money for the purchase from Moussa Toubbeh. Patel pled guilty to conspiracy to smuggle CFCs and obstruction of justice. Shahin

Pled guilty to two criminal counts under the Clean Air Act (CAA), conspiracy and obstruction of justice. Moussa Pled guilty to conspiracy and obstruction of justice. Shahin forfeited \$131,132 in cash that he used for the illegal purchase and a forklift used to unload the shipment. Patel was fined \$50,000 dollars, received six months home confinement and placed on 36 months probation. Moussa paid U.S. Customs a fine of over \$7,000 to retrieve his vehicle when it was seized as property used to facilitate the illegal acts and was placed on 24 months probation. Shahin was placed on 36 months probation.

#### United States v. Saybolt North America (Massachusetts)

Saybolt Labs (Saybolt) pleaded guilty to several charges, including conspiracy and wire fraud, stemming from illegal activities during the company's laboratory testing of petrochemical commodities, including gasoline. Saybolt performed testing and inspection services for oil and gas refiners and importers and, while doing so, engaged in a pattern of falsifying the results of qualitative laboratory testing.

Under the Clean Air Act, importers and refiners are required to sell reformulated gas (RFG) in certain areas. RFG is required to contain more oxygen than other blends of gasoline in order to reduce smog. RFG which does not contain required levels of oxygen can contribute to smog in cities that have air quality problems, and smog is a known cause of respiratory illnesses in people. In order to attract and keep customers, Saybolt routinely inflated the oxygen content of its customers' RFG in reports that were submitted to EPA. Saybolt also falsified lab results which were used for determining whether various petroleum products were "on-specification" regardless of whether the products met specifications or not.

During EPA's investigation of Saybolt's laboratory fraud, a bribe scheme was uncovered resulting in Saybolt, and its parent company, Saybolt North America, Inc., pleading guilty to crimes under the Foreign Corrupt Practices Act (FCPA). These violations involved the defendant's attempt to pay a bribe to a Panamanian government official in order to obtain favorable treatment for Saybolt's operations in Panama.

As a result of the plea agreement, Saybolt was sentenced to pay a total of \$4.9 million in fines. For the laboratory conspiracy and wire fraud, Saybolt was fined \$3.4 million, sentenced to 60 months probation, required to install an environmental compliance program, and ordered to publically admit its wrongdoing. Saybolt and Saybolt North America, Inc. were fined \$1.5 million dollars and placed on 60 months probation for their FCPA violations. David Mead, who was the President of Saybolt, was convicted of FCPA violations and sentenced to 4 months in prison, 4 months home confinement, 36 months supervised release, and a \$20,000 fine. Frerick Plumers, a Dutch national citizen and who was the Chairman of Saybolt's Board of Directors, is a fugitive. INTERPOL has issued its highest alert for the arrest of Pluimer for his participation in the FCPA violations at Saybolt.

## **RCRA**

### Thoro Products, Inc. (Colorado)

In February 1999, Richard Newman, owner of Thoro Products, Inc.(Thoro), was convicted by jury trial in State court and sentenced to 14 years incarceration for hazardous waste disposal crimes -- the longest jail sentence ever handed down for an environmental crime in the history of environmental prosecutions in the United States. The case was prosecuted by the Colorado Attorney General in close cooperation and with support from EPA. The corporation was fined \$950,000, placed on 10 years probation, and is required to assist with the cleanup of underground contamination caused by its operations.

Thoro stored and distributed chemical products for Dow Chemical Company at the Thoro facility in Arvada, Colorado. During this time, solvents and other chemical products were spilled onto the ground and other spills were caused by leaking hoses and pumps. As a result of these illegal activities by Thoro employees, groundwater was contaminated in a mile long and a half-mile wide plume down gradient from the Thoro facility. The violations were discovered after a drinking water well was contaminated. Additionally, landowners adjacent to the Thoro facility suffered \$3 million in damages to their property.

This case represented a strong cooperative effort by EPA's Office of Criminal Enforcement, Forensics and Training staff and the State of Colorado: EPA's Criminal Investigations Division assisted the State with the investigation; the National Environmental Investigations Center (NEIC) provided technical support; and OCEFT Legal Counsel assisted the Colorado Attorney General in prosecuting the case.

## **OECA Headquarters Compliance Assistance Activities**

### EPA/Bureau of Indian Affairs (BIA) Compliance Assistance Project

OECA and the Bureau of Indian Affairs (BIA) have been working together to improve BIA's compliance record. The two agencies initiated a joint effort to increase compliance at BIA facilities. In FY 1998, the agencies signed a Memorandum of Understanding to implement a Compliance Assistance Project (CAP) to ensure environmental protection of BIA and Indian trust resources and personnel by bringing BIA facilities into compliance and identifying lessons learned that can be applied at other facilities.

The project got under way in FY 1999. OECA's Federal Facilities Enforcement Office (FFEO) will provide contract support to perform environmental baseline assessments at five or six representative BIA facilities on reservation or trust lands. The assessments will cover a cross section of different types of BIA facilities in different parts of the country, including paint shops, vehicle maintenance shops, storage tank areas, schools, etc. and assess operations based on

requirements in RCRA, TSCA, CERCLA, FIFRA, CAA, and CWA, as well as related DOT and OSHA regs. Any violations uncovered will be corrected. One audit was completed on the Yakima reservation in Washington and another will take place on the Cherokee Nation Reservation.

#### Tribal Solid Waste Interagency Workgroup

The multi agency Tribal Solid Waste Interagency Workgroup (Workgroup), consisting of EPA and seven other federal Agencies and Departments, provided approximately \$1.6 million to eleven Native American tribes for the FY 1999 Tribal Open Dump Cleanup Project (Project). The Workgroup was established in April 1998 to design a federal plan for helping tribes bring their waste disposal sites into compliance with the municipal solid waste landfill criteria. FY 1999 to the following tribes: Swinomish Indian Tribal Council, Tohono O'odham Nation, Blackfeet Nation, White Earth reservation, Navaho Nation, Metlakatla Indian Community, Taos Pueblo, Hoopa Valley tribe, Mississippi Band of Choctaw, and Native Village of Elim. The tribes will use the Project funds to assist with the closure or cleanup of high priority open dump sites. The Project will continue in FY 2000.

The Project is part of the Workgroup's effort to coordinate federal assistance for tribal solid waste management programs. In addition to assisting tribes with the closure or upgrade of high priority non-compliant waste disposal sites, the Project is intended to demonstrate the federal government's ability to provide comprehensive solid waste funding and technical assistance to tribes. The Cleanup Project's specific goals include assisting tribes with completing and implementing comprehensive integrated waste management plans, developing realistic solid waste management alternatives, closing or upgrading existing high priority open dumps, and developing postclosure programs.

Project funds are available to all federally recognized tribes and Alaska native villages, and to multi-tribe organizations whose membership consists of federally recognized tribes or villages. Using the information gathered through the project, the Workgroup plans to devise a strategy to support further assistance to tribes in their efforts to address solid waste management needs.

#### National Compliance Assistance Centers

EPA opened four new on-line Compliance Assistance Centers in 1999 focused on the following sectors: chemical, local government, transportation, paints & coatings. These new Centers join the five that were already on-line and which target automotive service and repair shops, agricultural facilities, metal finishers, printed wiring board manufacturers, and the printing industry. EPA's nine Compliance Assistance Centers are Internet-based and deliver easy-to-understand compliance information targeted specifically at certain industry sectors. The Centers help users understand which federal regulations apply to their operations, share pollution prevention tips and techniques, access relevant compliance tools, and learn about the latest regulatory developments.



Recent evidence indicates that the centers are having a positive impact on improving compliance. New survey statistics from OECA's automotive and repair shop web-based Compliance Assistance Center (*GreenLink*) show that compliance improves when facilities are given assistance. In 1997, audits revealed that less than 25% of the industry were in substantial compliance (defined here at 81-100% compliance) with all their regulatory requirements. In 1999, after the establishment of *GreenLink*, the number of facilities in substantial compliance has jumped to 51%. *GreenLink* has also become an important compliance tool that many auto shops now rely on : the number of users has increased from 1,000 shops in 1997 to 21,000 shops in 1999.

Currently, EPA's Compliance Assistance Centers are being visited over 700 times a day by businesses that need help. Use of the Centers is increasing steadily and surveys have shown that customer satisfaction is strong. To access all Centers, go to: [www.epa.gov/oeca/mfcac.html](http://www.epa.gov/oeca/mfcac.html).

### Sector Notebooks

In 1999, EPA added three new sector notebooks to its portfolio: oil & gas extraction industry, aerospace industry, and local government operations. This brings the total number of industries profiled in Sector Notebooks to 30.

Sector Notebooks give users general information about broad spectrum environmental issues associated with major industries. Each notebook contains important sector information that help facilities recognize and resolve compliance problems: business profile and trend information, manufacturing process descriptions, applicable federal regulations, compliance history, profiles of chemical releases, pollution prevention opportunities, contacts for help and assistance materials.

To date, over 450,000 Notebooks have been distributed - and they remain one of OECA's most popular products. To view EPA's Sector Notebooks, visit [www.epa.gov/oeca/sector](http://www.epa.gov/oeca/sector)

### "Root Causes" of Non-Compliance Report

EPA and the Chemical Manufacturers Association released the "EPA/CMA Root Cause Analysis Pilot Project Report" in July. The report examines the underlying causes of environmental violations in 47 federal civil enforcement cases between 1990 and 1995. Ninety-four percent of the respondents identified multiple causes for a single non-compliance event. Among the leading causes for non-compliance were individual responsibility and lack of awareness of regulatory requirements. The report highlights the role environmental management systems (EMSs) can play in promoting compliance. EMSs are unique to a company's operation and serve to control and minimize the environmental effects of its activities. Among the respondents, 41 percent stated that CMA's Responsible Care or another EMSs would have contributed to the prevention of the non-compliance. Responsible Care calls upon CMA members to continuously improve their overall health, safety and environmental performance in a manner that is responsive to the public. The report indicates that adjustments by both government and

industry could help improve compliance performance. It suggests, for example, that EPA provide technical assistance and compliance assistance tools that better conform to industry needs. On the industry side, the report states that more emphasis should be placed by manufacturers on developing and maintaining comprehensive, well-integrated and clearly articulated EMSs.

## **Examples of Regional Compliance Assistance Activities**

### **Region One Compliance Assistance Given to Printers**

In Region One, printing continued to be a compliance assistance priority. Their *Fit To Print* guide was sent to over 1400 printers throughout the Region. Of those who responded to an evaluation of the guide, 70% said that they had undertaken “improved environmental practices” such as equipment changes/modifications, material substitution, recycling, training, institution of environmental management policies or procedures, and improved disposal methods as a result of compliance assistance efforts. These facilities also said that they took action to apply for appropriate permits or identification numbers, or file reports as necessary to comply with Federal, state or local environmental regulations.

### **Region Two Outreach Efforts to Dry Cleaners to reduce Perchloroethylene**

EPA’s Region II office, in coordination with New York State agencies, has focused compliance assistance efforts on dry cleaners in New York and New Jersey. Their outreach efforts included on-site visits and the distribution of easy-to-understand guides to Clean Air Act requirements. In addition, the Region developed a web site for compliance assistance information and held 8 seminars on equipment maintenance and new technologies for approximately 500 owners/ operators. This effort has resulted in a reduction of 11.9 tons of PCE from urban air.

### **Region Five EPCRA Compliance Assistance for the Metal Plating and Coating Sectors**

EPA’s Region V worked with its States to bring 252 metal plating and coating facilities into compliance with the Emergency Planning and Community Right-to-Know Act (EPCRA). EPA and its state partners gave over 35,000 facilities EPCRA fact sheets, special color-coded Emergency and Hazardous Chemical Inventory forms, and a copy of the Extremely Hazardous Substance List to help them determine whether they needed to comply.

EPA Region V contains over 4,800 facilities in both the metal plating and/or coating sectors. This represents about 60% of all metal finishers nationally.

### **Region Six Consolidation of Compliance Information for Stormwater Permit Holders**

A compliance assistance program focused on stormwater permit holders continued in FY 1999 in Region VI. The Region has employed a number of integrated assistance strategies to deliver

compliance help to 1,300 state, municipal, private and federal stormwater permit holders:

- creating a website which contains comprehensive storm water guidance, permit information, regulations, databases and contacts
- presenting at conference and trade association meetings
- mailing 6,000 assistance letters to the construction industry

#### Region Six Promotion of Compliance Awareness through Environmental Management Reviews

EPA's Region VI has led the way in using Environmental Management Reviews (EMRs) to promote compliance at federal facilities. EMRs are a tool for helping federal facilities meet or exceed their regulatory compliance requirements. In 1999, Region VI conducted \_\_ on-site environmental management reviews at federal facilities. Specifically the Region examined the facility's structure, environmental commitment, internal and external communications, formality of environmental programs, staff training and development, program evaluation and reporting, and environmental planning and risk management.

### **C. Environmental Justice**

#### Regulatory Development

**Economic Incentive Programs ("EIP"):** The Office of Environmental Justice ("OEJ") has worked extensively with the Office of Air and Radiation to develop sound public participation, monitoring, and "hot spot" prevention components to the Draft EIP. The EIP is the Agency's proposed policy on emissions shifts and trades. While emission shifts and similar market based techniques hold promise for reducing air pollution efficiently, concerns have been raised with respect to their impact on low-income and/or minority communities. In addition, OEJ organized meetings among community groups and Agency experts to help facilitate better communication and understanding of concerns and needs. The result of the meetings was modification of the proposed policy and a closer working relationship among stakeholders.

**Tier 2 Emissions Rule:** The Tier 2 Rule establishes new emission standards for automobiles by reducing sulfur content in gasoline. This reduction will greatly improve tail pipe emissions but may increase emissions at refiners. OEJ worked with the Office of Air and Radiation to help ensure that the local impacts of the rule were understood and environmental justice concerns addressed. Outside, third party neutrals were also hired to consult with stakeholders (industry, environmental groups, environmental justice organizations, states, etc...) to ensure that all parties' interests and concerns were understood and taken into consideration. OEJ will continue to work with stakeholders and the Office of Air and Radiation, now that the rule is issued, to develop permitting procedures that will promote meaningful community involvement and efficiency in the permitting process.

## Consensus Building

OEJ and the Office of the Administrator have initiated a rapid response dispute resolution pilot project to evaluate the use of dispute resolution in environmental justice disputes. This pilot project will focus exclusively on environmental justice disputes and will be used to learn more about the use of alternative dispute resolution's effectiveness conflicts involving environmental justice concerns.

## Effective Outreach to Stakeholders

During FY99 a team concept was successfully initiated in the Office of Environmental Justice. The teams have been organized as follows: Federal Government Team; State, Tribal and Local Government Team; Business and Industry Team; Community/Grassroots Team; and Grants Management Team. Each of the five teams engaged in outreach efforts with stakeholder groups to share ideas and better understand needs. For example, the Community/Grassroots Team met to discuss the concern that locally impacted residents have not been able to participate fully in the decisionmaking process surrounding the siting of pollution-generating facilities. Members of the team held several face-to-face meetings with environmental justice network organizations including: Southwest Network for Environmental and Economic Justice, Southern Organizing Committee, Greater Boston Environmental Justice Network and the Indigenous Environmental Network. As a result of the information related at these meetings, the Office of Environmental Justice can better help community and grassroots organizations participate in the decisionmaking process, and allow the neighborhood groups to better participate in the shaping of their communities' futures.

## Environmental Justice Small Grants Program Publication Issued

In fiscal year 1999, EPA issued the first national publication highlighting successes from the Environmental Justice Small Grants Program entitled, ***“Environmental Justice Small Grants - Emerging Tools for Local Problem-Solving.”*** Since 1994, EPA has awarded more than 530 small grants to assist eligible community groups seeking solutions to local problems. The 46 projects highlighted in this report cover grants awarded from 1994 through 1997 and represent 6 focus areas including: Water Quality; Air Quality, Lead & Carbon Monoxide Poisoning; Pollution Prevention; Vacant Land Reuse; and, Environmental Stewardship. Our purpose in publishing this document was to: (1) inform communities and show them how to implement similar projects and programs; (2) reduce duplication of effort; (3) strengthen the networking of organizations; (4) improve the quality of future projects; and, (5) provide lessons learned from completed projects. To date, more than 3,000 copies have been distributed in printed and electronic formats. In subsequent years, a similar publication will be prepared and will include successful projects awarded in FY '98/99.